

LL

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

IN RE:

Case No.: 2-17-21113-PRW
Chapter: 13

David A. Morris

ORDER CONDITIONALLY
MODIFYING AUTOMATIC STAY

Debtor.

Ditech Financial LLC ("Movant"), by it's attorney's, Fein, Such & Crane, LLP, and David A. Morris ("Debtor"), by counsel Joseph E. DeMarco, Esq., having stipulated and agreed to the relief herein provided so as to afford the Debtor an opportunity to cure post-petition arrear, it is hereby

ORDERED, that the Debtor is to make past due post-petition payments for the months of January 2018 through and including March 2018 in the amount of \$302.05 per month, reasonable attorney's fees in the amount of \$531.00, less a suspense balance of \$299.90 (subtracted), for a total amount due of \$1,137.25. The arrear are broken down as follows:

3 Past Due Post-Petition Payments (01/01/2018 through 03/01/2018) at \$302.05	= \$906.15
Reasonable Attorney's Fees	= \$531.00
Less a suspense balance	= (\$299.90)
Total:	= \$1,137.25

Arrear are to be paid in six (6) installments as follows:

Amount	Due Date
\$189.54	April 15, 2018
\$189.54	May 15, 2018
\$189.54	June 15, 2018

\$189.54	July 15, 2018
\$189.54	August 15, 2018
\$189.55	September 15, 2018

Said payments shall be in the form of certified funds and mailed to:

Ditech Financial LLC
1400 Turbine Dr., Suite 200
Rapid City, SD 57709

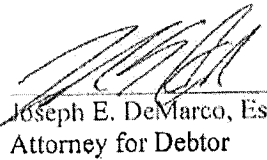
AND IT IS FURTHER ORDERED, that Debtor shall commence making the regular monthly post-petition mortgage payments in the amount of \$302.05 per month, or such other amount as may be advised in writing, to Creditor, commencing April 1, 2018 so that the payment is received as required under the terms of the Note;

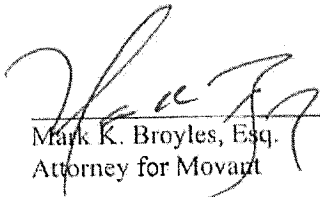
AND IT IS FURTHER ORDERED, that the automatic stay pursuant to 11 U.S.C. 362(d)(1) as it relates to Debtor, shall be modified to permit Movant to commence or continue with foreclosure of its interest in the certain Property now or formerly owned by the Debtor, located at 61 Delmar Street, Rochester, NY 14606 (the "Property"), unless such funds are received and are paid on or before the date(s) provided in this Order;

AND IT IS FURTHER ORDERED, that in the event of default by Debtor in timely making payments specified in the preceding paragraphs, relief from the automatic stay shall be granted, without further Order from the Court, on the premises commonly known as and by 61 Delmar Street, Rochester, NY 14606;

AND IT IS FURTHER ORDERED, that the Movant notify the Trustee of surplus monies, if any, arising from said sale of Collateral.

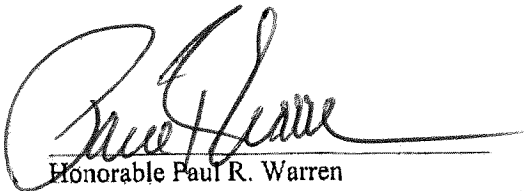
CONSTENTED AND AGREED TO BY:


Dated: 3/27/18
Joseph E. DeMarco, Esq.,
Attorney for Debtor


Dated: 3/27/18
Mark K. Broyles, Esq.
Attorney for Movant

IT IS SO ORDERED.

Dated: March 29, 2018
Rochester, New York


Honorable Paul R. Warren
United States Bankruptcy Judge, W.D.N.Y.